

Remarks/Arguments:

The claims have received numerous objections. The claims have been appropriately amended. Withdrawal of the objection is respectfully requested.

Claims 1-5, 7, and 9-12 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Masuda et al. (U.S. Patent No. 6,400,556). The rejection is respectfully traversed for the reasons set forth below.

Applicants' invention, as recited by claims 1-3, 7 and 9 includes a feature which is neither disclosed nor suggested by the art of record, namely:

... an anode lead extending from said anode on one of said sides, ...

This is in contrast to the location of the anode on all other sides of the anode body. Specifically, the claims recite that on "all other of said sides" a feature is recited of the anode:

... extending to all other of said sides ...

Thus, when Applicants claim that the anode lead extends from the anode, it is necessarily implied that the anode lead extends beyond the anode on one of the sides. Again, this is in contrast to the other sides of the anode body where the anode extends only to those sides.

Page 3 of the Official Action reproduces a Figure from Masuda in order to illustrate why the rejection is being made. As is clear from that Figure, however, the anode lead does not extend from any of the sides of the anode body. Accordingly, claims 1-3, 7 and 9 are patentable over the art of record.

The language of claim 4 has been clarified to make it clear that:

... not less than one half of a flat plane area of said valve metal foil is covered with said sintered layer ...

This is different than the art of record where less than half of the valve metal foil is covered with a sintered layer. For this reason, claim 4 is patentable over the art of record.

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Regarding claim 5, this claim recites the feature of:

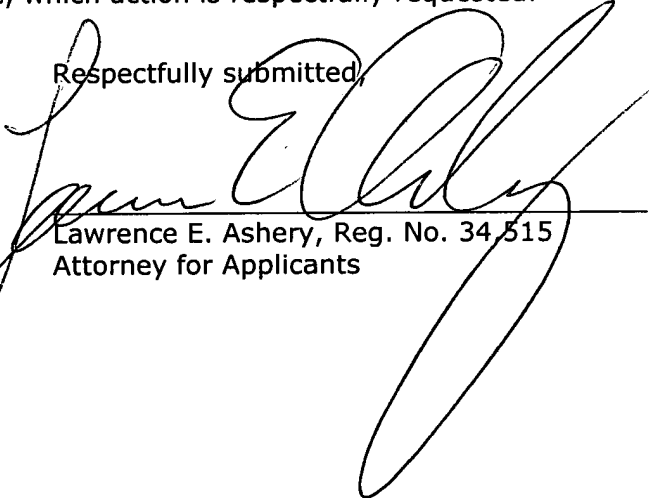
... a ratio of cross sectional area of said anode lead portion of said valve metal foil to that of the layer of sintered body is not less than 10%.

In order to make the rejection, the Official Action relies on Figures which have not been drawn to scale. The Official Action also attempts to approximate, from the drawings themselves, what portion of sintered layers exist. PTO practice prohibits assumptions to be made from prior art figures which have not been drawn to scale. Accordingly, claim 5 is patentable over the art of record.

The remaining claims are patentable by virtue of their dependency on allowable independent claims.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,


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